

**From:** [Rafael Casanova](#)  
**To:** [Brenda Cook](#)  
**Cc:** [moore.gary@epa.gov](mailto:moore.gary@epa.gov); [Gloria-Small Moran](#)  
**Subject:** Fw: latest version of draft preamble language on response to comments  
**Date:** 07/19/2011 02:32 PM

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Brenda, please see Gary's comments.

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Assigned Sites for Investigation and Remediation: (<http://www.epa.gov/earth1r6/6sf/6sf-tx.htm>):  
Brine Service Company Superfund Site (Corpus Christi, Texas)  
Falcon Refinery Superfund Site (Ingleside, Texas)  
Many Diversified Interests, Inc. Superfund Site (Houston, Texas)  
Palmer Barge Line Superfund Site (Port Arthur, Texas)  
State Marine of Port Arthur Superfund Site (Port Arthur, Texas)

----- Forwarded by Rafael Casanova/R6/USEPA/US on 07/19/2011 02:31 PM -----

**From:** Gary Moore/R6/USEPA/US  
**To:** Rafael Casanova/R6/USEPA/US@EPA  
**Cc:** Gloria-Small Moran/R6/USEPA/US@EPA  
**Date:** 07/19/2011 02:29 PM  
**Subject:** Re: Fw: latest version of draft preamble language on response to comments

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Raphael/Gloria:

I am not sure the following statement is correct: "The owner is currently completing an RI/FS but no longer has the funds to proceed with any additional cleanup beyond the RI/FS, and it is necessary to finalize the site in order for the cleanup to proceed."

Maybe it should say: "The owner is has been approved by EPA to complete the RI/FS, but it is questionable whether the company will have the funds to proceed beyond the RI/FS activities, should that be necessary, and therefore, it is necessary to finalize the site in order for the potential cleanup to proceed in an expeditious manner."

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From: Rafael Casanova/R6/USEPA/US  
To: Gloria-Small Moran/R6/USEPA/US@EPA, moore.gary@epa.gov  
Date: 07/18/2011 09:41 AM  
Subject: Fw: latest version of draft preamble language on response to comments

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Gloria, Gary, any comments?

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State Marine of Port Arthur Superfund Site (Port Arthur, Texas)

----- Forwarded by Rafael Casanova/R6/USEPA/US on 07/18/2011 09:29 AM -----

From: Brenda Cook/R6/USEPA/US  
To: Rafael Casanova/R6/USEPA/US@EPA, John Emerson/R6/USEPA/US@EPA, John Meyer/R6/USEPA/US@EPA, Mark Purcell/R6/USEPA/US@EPA  
Date: 07/18/2011 08:15 AM  
Subject: Fw: latest version of draft preamble language on response to comments

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Please review the language for your site and get back to me as soon as possible.

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----- Forwarded by Brenda Cook/R6/USEPA/US on 07/18/2011 08:13 AM -----

From: Robert Myers/DC/USEPA/US  
To: Brenda Cook/R6/USEPA/US@EPA, Karen Jurist/R9/USEPA/US@EPA, Ildefonso Acosta/R2/USEPA/US@EPA,

Five sites have minor/non-HRS comments. I've reviewed the docket for all comments and have an updated response (since I sent the response yesterday) for these 5 sites, consistent with narrative summaries and CSC suggestions..

Please look at this 2nd attempt and let me know if you have any problems - these will be addressed in the preamble rather than support docs.

Brenda - I know you are awaiting confirmation of the name change.

Five sites received minimal comments unrelated to the HRS score: Falcon Refinery (TX); Blue Ledge Mine (CA); New Idria Mercury Mine (CA); Garfield Ground Water Contamination (NJ); and MolyCorp, Inc. (NM). These sites are being finalized in this rule and comments are addressed below. Falcon Refinery was proposed September 5, 2002 and the other sites were proposed March 10, 2011.

EPA received no comments on the HRS score for the Falcon Refinery site but did receive one comment requesting that EPA not finalize the site but rather allow the owner to perform the cleanup under a long-term voluntary cleanup program agreement with EPA. EPA agreed to this and entered into an agreement, leaving the site in proposed status since 2002. The owner is currently completing an RI/FS but no longer has the funds to proceed with any additional cleanup beyond the RI/FS, and it is necessary to finalize the site in order for the cleanup to proceed. Information documenting this has been placed in the docket. The work performed to this point has not resulted in any change to the HRS score at proposal that would drop it below the 28.50 needed for NPL listing.

The Blue Ledge Mine site received one potential comment (which likely was for the New Cassel/Hicksville site) supporting the listing. If the comment was for Blue Ledge, then in response EPA agrees the site should be listed in order to investigate the site and determine what, if any, response actions are necessary.

The MolyCorp, Inc. site received 16 comments supporting listing and none opposing listing. One other comment was received, which requested a name change because the facility represented by the commenter was called Molycorp. This facility had no involvement with the contaminated site and yet was being linked to it because of the name, causing confusion to the public and a burden to the facility. EPA agrees with the commenter's concern, and has changed the name to Chevron Questa Mine to more accurately clarify the situation and identify the site for the public.

The Garfield Ground Water Contamination site received one comment. The comment was related to another EPA *Federal Register* notice asking whether the HRS should be amended to add a vapor intrusion component. The comment said that EPA's ability to list the Garfield site showed that addition of a vapor intrusion component to the HRS was unnecessary. Since the comment had no impact on the score and was actually supportive of listing the site, EPA is proceeding with finalizing the site.

The New Idria Mercury Mine site received five comments. Four supported listing, including one comment that said mercury at the site was bioavailable and a serious health concern and cited several studies to support this. One commenter opposed listing, saying the form of mercury at the site would not pose a problem and was not bioavailable and that cleanup was a waste of money. In response, the value assigned to mercury in the documentation record is consistent with the proper application of the HRS and no commenter suggested any other value. The site score using that value makes the site eligible for listing. Cost is not a factor considered when making a listing decision. Remedial costs, if any,

will be determined once the risk decision is made EPA is placing the site on the NPL to evaluate whether the site poses a health risk, whether the mercury is bioavailable, and what cleanup, if any, is needed.